IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELATE CIVIL JURISDICTION

WRIT PETITION NO.6246 OF 2004

Shridhar Nathuram Gosavi (More) & Ors...Petitioners

Vs.

State of Maharashtra & Ors. ..Respondents

Mr.G.S.Godbole for Petitioners
Mrs.S.S.Bhende, A.G.P. for Respondent Nos.1 to 4

CORAM: F.I. REBELLO &
S.P. KUKDAY, JJ.
DATE: 22ND FEBRUARY, 2005.

P.C.

. Petitioner principally contended that declaration under Section 6 was not issued within time set out under provisions of the Land Acquisition Act and similarly the Award was not passed within two years of the last date of publication.

. Considering the controversy and as no proper affidavit was filed, the records were called for. From the record it is clear that the notification of Section 4, was published in the Goverment gazette on 13th January, 2000 and in the village chaudi on 20th June, 2000 and in the office of the Talathi on 30th June, 2000. The declaration under Section 6 was published on 14th June, 2001 in the Government gazette and in the village chavdi on 11th January, 2002. The Award is made on 9th January, 2004. From

the above it is clear that the Award has been made within the time contemplated under Section for making of an award under the Land Acquisition Act.

. It is then contended that the notification dated 20th May, 1997 is a provisional notification. That order has been passed pursuant to the powers under Clause (a) of Sub Section 1 of Section 11 of the Maharashtra Resettlement of Project Displaced Persons Act, 1976.

. Considering the above we do not find this to be a fit case for this Court to exercise its extra ordinary jurisdiction. Hence, Petition rejected.

(F.I.REBELLO,J.)

(S.P. KUKDAY,J.)